

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

STEPHEN BECKMAN,
Plaintiff,

v.

BULL HN INFORMATION SYSTEMS INC.,
Defendant.

*
*
*
*
*
*
*
*
*

C.A. No.: 03-CV-12567NG

JOINT MOTION TO EXTEND SCHEDULING DEADLINES

The Parties in the above action hereby submit this Joint Motion to Extend Scheduling Deadlines. Specifically, the Parties request extensions to: (1) the deadline by which Defendant must file its opposition to Plaintiff's Motion to Compel; (2) the fact discovery deadlines; (3) the expert disclosure deadlines; (4) the expert discovery deadline; and (5) the dispositive motion deadline. As grounds for this joint motion, the Parties state as follows:

1. Pursuant to the Parties' Joint Motion to Extend Expert Disclosure and Discovery Deadlines, which was granted by the Court on December 16, 2004, the deadline for completing non-expert written and oral discovery was extended until March 15, 2005, with requests for admission to be served up through and including April 15, 2005; the deadline for Plaintiff's initial expert disclosures was extended until February 1, 2005, with Defendant making initial expert disclosures by April 1, 2005 and with disclosures relating to rebuttal testimony extended until May 1, 2005; the deadline for expert discovery was extended until June 1, 2005; and the deadline for filing dispositive motions was extended until July 1, 2005.

2. On March 2, 2005, Plaintiff filed its Motion to Compel Defendant Bull HN Information Systems Inc.'s Answers to Interrogatories and Production of Documents.

3. Also on March 2, 2005, Plaintiff served Supplemental Automatic Discovery Disclosure Pursuant to Fed. R. Civ. P. 26(a)(1) and 26(a)(2). In this supplemental disclosure, Plaintiff identifies four new Rule 26(b)(1)(A) witnesses and, for the first time, provides contact information and subjects of knowledge for all Rule 26(b)(1)(A) witnesses.

4. To date, the parties have worked diligently to complete discovery by the March 15, 2005 deadline. However, due to various scheduling difficulties, and due to the pending Motion to Compel and the recent supplement to Plaintiff's automatic disclosures, the parties require more time to complete discovery and to provide expert disclosures. In addition, due to long-standing vacation plans and prior commitments, Defendant requires an extension of time in which to file its opposition to Plaintiff's Motion to Compel.

WHEREFORE, the Parties respectfully request that:

(a) The deadline for Defendant's Opposition to Plaintiff's Motion to Compel be extended up to and including March 25, 2005;

(b) The deadlines for the completion of all fact discovery (including requests for admission) be extended up to and including May 16, 2005;

(c) The deadline for Plaintiff's initial expert disclosures be extended up to and including six weeks from the date of either the Court's denial of the pending Motion to Compel or, in the event that the Court grants the pending Motion to Compel and orders further production of information and documents, the date that the Defendant provides the further production;

(d) The deadline for Defendant's initial expert disclosures be extended up to and including six weeks from the date that the Plaintiff provides his initial expert disclosures;

(e) The deadline for rebuttal expert disclosures be extended up to and including one month from the date that the Defendant provides its initial expert disclosures;

(f) The deadline for expert discovery be extended up to and including two months from the date that the Defendant provides its initial expert disclosures;

(g) The deadline for dispositive motions be extended up to and including one month from the close of expert discovery.

Respectfully submitted,

The Plaintiff,
By his attorneys,

The Defendant,
By its attorneys,

/S/ Nancie L. Edgren
Denise L. Page, Esq.
BBO No. 119415
Nancie L. Edgren, Esq.
BBO # 648665
BARRON & STADFELD, P.C.
100 Cambridge Street, Suite 1310
Boston, Massachusetts 02114
617-723-9800

/S/ Kelly S. Black-Holmes
Joan A. Lukey, Esq.
BBO # 307340
Kelly S. Black-Holmes, Esq.
BBO # 650461
WILMER CUTLER PICKERING
HALE & DORR, LLP
60 State Street
Boston, Massachusetts 02109
617-526-6000

Date: March 11, 2005